

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 5, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:17 a.m. The meeting was recessed by Mayor O'Connor at 10:22 a.m. to meet immediately in Closed Session in the twelfth floor conference room on pending litigation and potential litigation, and to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:04 p.m. The meeting was recessed by Mayor O'Connor at 4:48 p.m. to convene the Redevelopment Agency. Mayor O'Connor adjourned the meeting at 4:51 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (eb,so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-104: (R-91-1096) ADOPTED AS RESOLUTION R-277464

Awarding a contract to Xerox Corporation for two copiers, one for the City Attorney and one for the City Council, for a total cost of \$106,560, including tax, terms and maintenance; authorizing the expenditure of an amount not to exceed \$106,560 from Department No. 815, Fund No. 50020, Organization No. 104, Object Account Nos. 6010 and 4212, and Job Order No. 60003, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-H1727/91)

Aud. Cert. 9100640.

FILE LOCATION: CONT-Purchase-Xerox Corporation
CONFY91-1

COUNCIL ACTION: (Tape location: A020-040.)

MOTION BY McCARTY TO ADOPT ITEMS 104 AND 105. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-91-1077) ADOPTED AS RESOLUTION R-277465

Awarding a contract to Eastman Kodak Company for furnishing two copiers, for a total cost of \$85,764,

including tax, terms and maintenance; authorizing the expenditure of an amount not to exceed \$85,764 from Department No. 815, Fund No. 50020, Organization No. 104, Object Account No. 6010 and 4212, and Job Order No. 60003, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H1727/91)

Aud. Cert. 9100613.

FILE LOCATION: CONT-Purchase-Eastman Kodak
CONTFY91-1

COUNCIL ACTION: (Tape location: A020-040.)

MOTION BY McCARTY TO ADOPT ITEMS 104 AND 105. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330:

Request for rezoning a property in La Jolla Planned District Zone 1/HR and a rezone of a CO/HR Zone to a La Jolla Planned District Zone 5/HR. The subject property is located on the north side of Genter Street at the intersection of Girard Avenue and Genter Street (7255 Girard Avenue), in the Hillside Review Zone and is more particularly described as a portion of Pueblo Lot 1262, Pueblo Lands of San Diego, Miscellaneous Map-36. The Area One zoned site is within the La Jolla Community Plan area.

The proposed rezone and La Jolla Planned District amendment also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP Amendment must be submitted to the California Coastal Commission for review and final approval. The proposed LCP Amendment would not become effective until after approval by the California Coastal Commission.
(Case-89-0581. District-1.)

Subitem-A: (O-91-74) INTRODUCED, TO BE ADOPTED
MARCH 18, 1991

Introduction of an Ordinance for La Jolla Planned
District Zone 5/HR Zoning.

Subitem-B: (O-91-73) INTRODUCED, TO BE ADOPTED
MARCH 18, 1991

Introduction of an Ordinance amending Chapter X,
Article 3, Division 12 of the San Diego Municipal Code
by amending Section 103.1202 relating to the La Jolla
Planned District.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A044-060.)

Hearing began 10:20 a.m.

Hearing halted 10:21 a.m.

Testimony in favor my Michael Brekka.

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-91-1402) ADOPTED AS RESOLUTION R-277472

Awarding City of San Diego 1991 General Obligation
Bonds (Public Safety Communications Project) in the
principal amount of \$25,500,000 to the best responsible
bidder and rejecting all other bids.

CITY MANAGER SUPPORTING INFORMATION: On June 5, 1990, voters
approved a \$25,500,000 General Obligation Bond issuance
(Proposition E) to secure funding to replace the City's outdated
Public Safety Communications System. Costs are estimated at
\$35.5 million; \$10 million was allocated in the FY 90 budget. On
March 5, 1991, City staff will receive competitive bids from bond
underwriters for 1991 Public Safety Communications Project
General Obligation Bonds. City staff will recommend to the City
Council the lowest true interest cost bid at the March 5, 1991
meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B011-103.)

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-332: RETURNED TO CITY MANAGER

In the matter of a presentation and recommendations to the Mayor and City Council by the Citizens Budget Committee.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B104-E625.)

MOTION BY HARTLEY TO RETURN TO THE CITY MANAGER TO BRING THE SHORT-TERM IMPLEMENTATION PLAN BACK TO COUNCIL AS SOON AS POSSIBLE AND TO BRING THE LONG-TERM PLAN BACK WITHIN 45 DAYS. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S500: (R-91-1412) ADOPTED AS RESOLUTION R-277466

(Continued from the meeting of February 26, 1991, Item 200, at Mayor O'Connor's request, to allow Councilmember Pratt to be present.)

Confirming the following appointments and reappointments by the Mayor to serve as members of the Citizen's Equal Opportunity Commission, representing minority groups, for terms ending January 1, 1993:
(See memorandum from Mayor O'Connor dated 2/13/91.)

Name	Minority Group
Dennis Magee (To replace Randlett R. Edmonds, whose term has expired.)	American-Indian
Tai Danh Doan (Reappointment.)	Asian/Oriental
Porfirio Q. Ambrosio (Reappointment.)	Filipino
Carlos D. Molina (Reappointment.)	Mexican-American

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Khalada Salaam-Alaji
(Reappointment.)

Black

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A040-044.)

MOTION BY PRATT TO APPROVE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501:

Two actions relative to the purchase of Police vehicles and Police service dogs:

Subitem-A: (R-91-1242) ADOPTED AS RESOLUTION R-277467

Inviting bids for furnishing Police service dogs in accordance with specifications; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the expenditure of \$120,000 from Fund 100, Dept. 110, Org. 446; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-I2135/91)
Aud. Cert. 9100685.

Subitem-B: (R-91-1243) ADOPTED AS RESOLUTION R-277468

Inviting bids for the furnishing miscellaneous Police vehicles in accordance with specifications; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the expenditure of \$665,563 from Fund 100, Dept. 110, Org. 392, Object Account 6010; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-C2138/91)

Aud. Cert. 9100584.

FILE LOCATION: Subitems A and B MEET CONTFY91-2

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COUNCIL ACTION: (Tape location: A045-077.)

MOTION BY ROBERTS TO ADOPT ITEMS S501 AND S502. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: (R-91-1458) ADOPTED AS RESOLUTION R-277469

Authorizing the City Auditor and Comptroller to expend from the Sewer Operating Fund 41506 the net sum of \$50,872 plus interest at 10 percent per annum on a net amount of \$45,865 from August 17, 1987 and, in addition, interest on a net amount of \$3,646 from February 25, 1988, said interest payments to be calculated to date of payment plus costs of \$1,869.10 less the sum of \$1,361 awarded to the City as set off; authorizing the City Auditor and Comptroller to make payment of the above amount, as calculated, in an amount not to exceed \$70,000, to Petar Artukovich Construction Company, Inc. and the law firm of Monteleone and McCrory, as full payment of the judgement in the case of Artukovich v. City of San Diego, Case No. 600669, said judgement entered December 14, 1990.

WU-CA-91-125.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A045-077.)

MOTION BY ROBERTS TO ADOPT ITEMS S501 AND S502. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-91-1451) ADOPTED AS RESOLUTION R-277470

A Resolution adopted by the City Council in Closed Session on March 5, 1991:

Authorizing and empowering the City Manager to pay the sum of \$49,607.65 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to the

commercial property of Rick Prokop; authorizing the City Auditor and Comptroller to issue one check in the amount of \$49,607.65, made payable to Luth & Turley, Inc., in full settlement of all claims.

Aud. Cert. 9100660

FILE LOCATION: MEET

ITEM-CS-2: (R-91-1459) ADOPTED AS RESOLUTION R-277471

A Resolution adopted by the City Council in Closed Session on March 5, 1991:

Authorizing and empowering the City Manager to pay the sum of \$22,575.06 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from a property damage claim of U.S.A.A. as subrogee of James Shaw, authorizing the City Auditor and Comptroller to issue one check in the amount of \$22,575.06, made payable to U.S.A.A. as subrogee of James Shaw, in full settlement of all claims.

Aud. Cert. 9100673

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

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ADJOURNMENT:

Mayor O'Connor adjourned the meeting at 4:51 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E612.)